REMARKS

Claims 1-42 are pending in the present application. Claim 1 has been amended. No new matter has been added. Applicants respectfully request reconsideration of the claims in view of the following remarks.

Claim 15 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. For the reasons given below, Applicants believe that the independent base claim is allowable, and thus, Applicants have not rewritten claim 15 in independent form at this time.

Claims 1, 19, and 35 have been rejected under 35 U.S.C. § 102(e) as assertedly being anticipated by Benson et al. (U.S. Patent No. 7,072,295, hereinafter "Benson"). Claims 2, 4-8, 11-14, 16-18, 21-27, 29-34, and 36-39 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Benson in view of Minshall (U.S. Patent No. 6,987,774, hereinafter "Minshall"). Claims 3, 20, and 27 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Benson in view of Minshall and further in view of Gemar (U.S. Patent No. 6,414,963, hereinafter "Gemar"). Claims 9 and 10 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Benson in view of Kramer et al. (U.S. Patent No. 7,116,680, hereinafter "Kramer"). Claims 40-42 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Benson in view of Del Prado Pavon et al. (U.S. Patent Publication No. 2004/0047351, hereinafter "Del Prado Pavon").

Applicants have amended claim 1 to more clearly recite at least one of the distinguishing features of an embodiment of Applicants' invention. In particular, Applicants have amended claim 1 to recite, "placing the read message into one of a plurality of priority queues, each of the

priority queues having only messages of a similar priority level." The cited references fail to

teach or suggest this limitation, and accordingly, Applicants respectfully request that the

rejection of claim 1 be withdrawn.

Applicants note that the elements identified by the Office Action as assertedly disclosing

the priority queues of Applicants' claim 1 do not have "only messages of a similar priority

level." In particular, the Office Action asserted that the fabric flow between input 10 and output

11, as illustrated in Figure 1 of Benson, discloses the plurality of priority queues of Applicants'

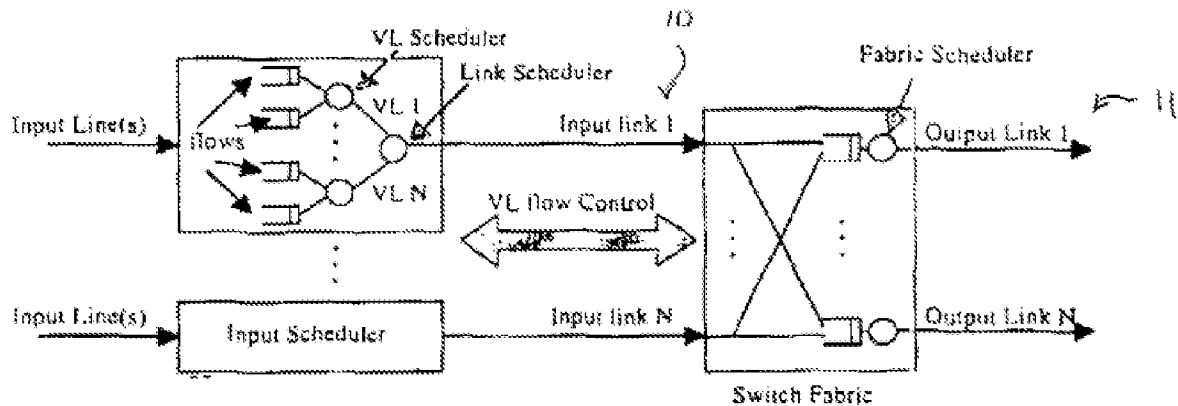claim 1. Office Action, page 3. A copy of Figure 1 of Benson is provided below for reference.

FIG. 1

Benson explains:

> Fig. 1 illustrates a hybrid switch architecture. In hybrid architectures
> such as FIG. 1, flow control between the input 10 and output 11 links is used
> to ensure that the switch fabric memory is not overloaded. Flows originating
> from the same input and destined to the same output are assigned to one group

referred to as a virtual link (VL). The techniques described herein can also be used with connections or sets of connections.

Benson, column 5, lines 27-34.

Benson further discloses that "[s]ince [Benson] uses small fabric queues, the fabric schedulers can be simple FIFOs or priority queues, while the complexity is shifted to the rate assignment process." Benson, column 5, lines 52-55. Thus, all of the traffic flowing between a specific input link and a specific output link are presented to only a single fabric scheduler, wherein each fabric scheduler may be a FIFO or a priority queue. Notably, however, if the fabric scheduler is a priority queue, then that single priority queue would contain all messages being routed between the specific input 10 and output 11 pair, and as a result, each fabric scheduler/priority queue contains messages of differing priorities.

In contrast, Applicants' claim 1 explicitly recites, "each of the priority queues having only messages of a similar priority level." Thus, messages of different priority levels are not in the same priority queue as disclosed in Benson.

In view of the above comments, it is clear that Benson fails to teach or suggest all of the limitations of Applicants' claim 1, and accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn. Claims 2-18 depend from claim 1 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Regarding claim 19, at least one distinguishing feature of an embodiment of Applicants' invention, namely, "a plurality of priority queues" and "a second scheduler coupled to each priority queue." Thus, claim 19 requires that the second scheduler be coupled to a plurality of priority queues.

In contrast, Benson only discloses that the fabric scheduler is coupled to a single queue, rather than a plurality of priority queues as recited in Applicants' claim 19. The Office Action asserted that Applicants' second scheduler corresponds to the fabric scheduler as illustrated in Fig. 1 of Benson. Office Action, page 5. The fabric scheduler, however, only has a single queue. In particular, each output link 11 has its own fabric scheduler, which in turn has its own queue. As a result, Benson fails to teach or disclose all of the limitations of Applicants' claim 19, and accordingly, Applicants respectfully request that the rejection of claim 19 be withdrawn.

Claims 20-34 depend from claim 19 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Regarding claim 35, at least one distinguishing feature of an embodiment of Applicants' invention, namely, "a plurality of priority queues" and "a second scheduler coupled to each priority queue." Thus, claim 35 requires that the second scheduler be coupled to a plurality of priority queues.

As discussed above, Benson only discloses that the fabric scheduler is coupled to a single queue, rather than a plurality of priority queues as recited in Applicants' claim 35. Accordingly, Applicants respectfully request that the rejection of claim 35 be withdrawn. Claims 36-42 depend from claim 35 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Jim Brady, Applicants' Attorney, at 972-917-4371, so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any fees that are due, or credit any overpayment, to Deposit Account No. 20-0668.

Respectfully submitted,

   November 14, 2008   /Roger C. Knapp/

Date   Roger C. Knapp

Attorney for Applicants

Reg. No. 46,836

SLATER & MATSIL, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, Texas 75252
Tel.: 972-732-1001
Fax: 972-732-9218